

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

GARY HEINEMANN,

Plaintiff,

v.

THE BURLINGTON NORTHERN  
& SANTA FE RAILWAY  
COMPANY, a Delaware  
corporation,

Defendant.

NO. CV-05-5102-RHW

**ORDER DISMISSING  
COMPLAINT**

On January 16, 2007, the parties filed a joint Stipulated Motion for Dismissal (Ct. Recs. 26 & 28).

Accordingly, **IT IS HEREBY ORDERED** that the above-captioned action is **DISMISSED**, with prejudice and with each party bearing its own costs.

**IT IS SO ORDERED.** The District Court Executive is hereby directed to enter this order, furnish copies to counsel, and to **close the file**.

**DATED** this 22nd day of January, 2007.

s/Robert H. Whaley  
**ROBERT H. WHALEY**  
Chief United States District Judge

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